103D CONGRESS
2D SESSION

H. CON. RES. 309

Expressing the sense of the Congress with respect to the use of selective Inspection and Maintenace (I&M) programs as part of State implementation plans under the Clean Air Act.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 1994

Mr. BARTON of Texas submitted the following concurrent resolution; which was referred to the Committee on Energy and Commerce

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CONCURRENT RESOLUTION

Expressing the sense of the Congress with respect to the use of selective Inspection and Maintenace (I&M) programs as part of State implementation plans under the Clean Air Act.

Whereas the Environmental Protection Agency's mobile source emission model, such as MOBILE 4 and MOBILE 5, have seriously underestimated the contribution of mobile source emissions to overall pollution, and tests indicate that mobile source pollution is two to three times greater than the Environmental Protection Agency model predicts;

Whereas recent studies indicate that a small percent of the in-use automobiles cause a disproportionate percentage of the pollution (called gross polluters), and as little as 10

percent of in-use vehicles cause 50 percent of the pollution;

Whereas studies conducted by the California Air Resources Board indicate that current conventional I&M programs have been shown to be ineffective, and results of roadside surveys conducted in California have shown that failure rates of vehicles and tampering of vehicles in I/M areas and non-I/M areas are identical;

Whereas 40 percent of all gross polluting cars have been tampered with, in spite of the best efforts of I/M programs;

Whereas information suggests that both old and new cars are gross polluting cars; because there are many more new cars than old, new cars contribute a larger portion of mobile source pollution;

Whereas there is little evidence that a newer fleet in and of itself would be a significantly cleaner fleet; new cars become gross polluters at a rate comparable to older cars;

Whereas all approaches that attempt to solve the problem created by a small percentage of the fleet, by treating the fleet as a whole, are cost ineffective in fighting automobile emissions, and detrimental to our economy;

Whereas research indicates that an effective way to locate gross polluters and locate cheaters is through on-road remote sensing of vehicle emissions;

Whereas remote sensing can make thousands of more measurements than conventional methods in the same time frame, cannot be cheated on, is many times cheaper, and allows society to concentrate on the small percentage of cars that cause the pollution; remote sensing is fully sufficient in identifying carbon monoxide and hydrocarbons;

initial findings indicate it will be equally effective for nitric oxide;

Whereas remote sensing of in-use vehicle emissions now makes feasible to directly determine mobile emission trends, and thereby to assess the effectiveness of current emissions control activities and aid in predicting the utility of possible new emissions approaches; and

Whereas present flaws in this country's I/M program will be perpetuated unless corrected: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That (a) the Environmental Protection Agency should modify regulations that implement the Clean Air Act to permit any State in nonattainment to adopt a State Implementation Plan that relies wholly or partly on a selective Inspection and Maintenance program. Such selective Inspection and Maintenance program should focus on how best to locate and repair that small proportion of the fleet that causes the majority of the pollution, called gross polluters. States should adopt the most cost-effective method of locating and fixing gross polluters, but shall consider the use of on-road remote sensing as one method of screening automobiles.

(b) Environmental Protection Agency regulations under the Clean Air Act should provide that States which opt for a selective I/M program will receive the appropriate credits which are in no event less than the actual pollution reduction achieved by such a program and should provide

that in determining the actual pollution reduction that is achieved, States do not need to use any computer model but may rely on actual data accumulated during the use of the above program.

(c) Environmental Protection Agency regulations under the Clean Air Act should require States to compile the information gained through the use of infrared remote testing and other methods of on-road testing. After one year's time, such information should be sent to a centralized data base where an individual panel of experts, to be selected by the National Research Council, should be convened annually, to evaluate this data. The Panel should use this and other appropriate information to report on on-road emission status and trend, the effectiveness of current and proposed vehicle emission control activities, and recommendations regarding improvements to correct deficiencies and enhance the capabilities of the Environmental Protection Agency's mobile source emission models.

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